

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **In re Danny Joseph Smith**  
Docket No. **296062**  
L.C. No. **08-748320-DL**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The motion for immediate consideration is GRANTED.

The application for leave to appeal is DISMISSED for lack of jurisdiction because the lower court had not entered an order before respondent filed the application on January 21, 2010; thus, the application is premature. MCR 7.203(B) and 7.205(A).

The motion to waive the order requirement of MCR 7.205(B)(2) is DENIED.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 26 2010  
Date

Sandra Schultz Mengel  
Chief Clerk